

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES WILLIAMS, : **CIVIL ACTION NO. 1:01-CV-2345**

:
Plaintiff : **(Judge Conner)**

:
v. :

**COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
CORRECTIONS, et al.,** :

:
Defendants :

ORDER

AND NOW, this 13th day of April, 2006, upon consideration of *pro se* plaintiff's motions to compel discovery (Doc. 114) and to recuse the undersigned (Doc. 116),¹ and it appearing that a motion for summary judgment (Doc. 98), filed by defendant Norris B. Webb, is pending before the court,² and that plaintiff's discovery requests are not relevant to the pending motion for summary judgment (see Doc. 114; Doc. 116 ¶ 20), and the court finding that a reasonable person would not question the impartiality of the undersigned to oversee this case, see 28 U.S.C. § 455 (providing that a judge "shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned"); Liteky v. United States, 510 U.S. 540, 548 (1994); United States v. Martorano, 866 F.2d 62, 68 (3d Cir. 1989), and that

¹ Plaintiff asserts in conclusory fashion that the undersigned's "impartiality is in question." (Doc. 116 ¶ 21.)

² Plaintiff erroneously states that the court granted this motion for summary judgment. (See Doc. 116 ¶ 15.)

plaintiff's allegations do not warrant recusal of the undersigned, see 28 U.S.C. §§ 144, 455, it is hereby ORDERED that:

1. The motion to compel discovery (Doc. 114) is DENIED without prejudice.
2. The motion to recuse the undersigned (Doc. 116) is DENIED. See 28 U.S.C. §§ 144, 455.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge